


Matthew B. Lehr (Bar No. 213139)  
Suong T. Nguyen (Bar No. 237557)  
Chung G. Suh (Bar No. 244889)  
DAVIS POLK & WARDWELL  
1600 El Camino Real  
Menlo Park, California 94025  
Telephone: (650) 752-2000  
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Attorneys for Plaintiff  
VNUS Medical Technologies, Inc.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

VNUS MEDICAL TECHNOLOGIES, INC.,	)	CASE NO. C08-03129 MMC
	)	
Plaintiff,	)	<b>PROOF OF SERVICE BY</b>
	)	<b>SUBSTITUTED SERVICE &amp; MAILING</b>
v.	)	<b>(PURSUANT TO CALIFORNIA CCP</b>
	)	<b>415.20 B)</b>
BIOLITEC, INC., DORNIER MEDTECH	)	
AMERICA, INC., NEW STAR LASERS,	)	<b>SEE ATTACHED</b>
INC. d/b/a/COOLTOUCH, INC., DAVID S.	)	
CENTANNI, and TYRELL L. SCHIEK	)	
	)	
Defendants.	)	Judge: The Honorable Maxine M. Chesney
	)	
	)	

Attorney or Party without Attorney: Law Offices Of: DAVIS POLK & WARDWELL 1600 EL CAMINO REAL Menlo Park, CA 94025 Telephone No: 650-752-2000 FAX No: 650-752-2111				For Court Use Only	
Attorney for: Plaintiff					
Ref. No. or File No.: 21368/004					
Insert name of Court, and Judicial District and Branch Court: United States District Court, Northern District Of California					
Plaintiff: VNUS MEDICAL TECHNOLOGIES, INC.					
Defendant: DAVID S. CENTANNI					
<b>PROOF OF SERVICE SUMMONS IN A CIVIL</b>		Hearing Date: Fri, Oct. 17, 2008	Time: 10:30AM	Dept/Div: 7	Case Number: CV-08-3129 JCS

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons In A Civil Action Civil Cover Sheet; Complaint For Patent Infringement And Demand For Jury Trial; First Amended Complaint For Patent Infringement And Demand For Jury Trial; Plaintiff Vnus Medical Technologies, Inc.'s Rule 7.1 Corporate Disclosure Statement And Civil Local Rule 3-16 Certification Of Interested Entities Or Persons; Declination To Proceed Before A Magistrate Judge And Request For Reassignment To A United States Judge; Us District Court For The Northern District Of California-Ecf Registration Information Handout; Reassignment Order; Standing Orders For Civil Cases Assigned To The Honorable Maxine M. Chesney; Case Management Conference Order; Standing Order For All Judges Of The Northern District Of California; Second Amended Complaint.
3. a. Party served: DAVID S. CENTANNI  
 b. Person served: SEE ITEM 5.b.
4. Address where the party was served: 901 YALE ST  
 HOUSTON, TX 77008
5. I served the party:  
 b. by substituted service. On: Fri., Aug. 29, 2008 at: 11:46AM. I left the documents listed in item 2 with or in the presence of:  
 ANGEL CORTIO, EMPLOYEE  
 (1) (Business) A person in charge at least 18 years of age apparently in charge of the office or usual place of business of the person served. I informed him or her of the general nature of the papers.  
 (4) A declaration of mailing is attached.
7. Person Who Served Papers:  
 a. MARCOS LARDIZABAL
- Recoverable Cost Per CCP 1033.5(o)(4)(B)
- d. The Fee for Service was:
- e. I am:  
 (i) Independent Contractor
- 
- 1541 Bayshore Hwy. GENERAL@AALLEGALSERVICE.COM  
 Burlingame, CA 94010-1602 Fax (650) 697-4640  
 (650) 697-9431

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Thu, Sep. 04, 2008

  
 (MARCOS LARDIZABAL)  
 7522000.47839

Attorney or Party without Attorney: Law Offices Of: DAVIS POLK & WARDWELL 1600 EL CAMINO REAL Menlo Park, CA 94025 Telephone No: 650-752-2000 FAX No: 650-752-2111				For Court Use Only	
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court: United States District Court, Northern District Of California					
Plaintiff: VNUS MEDICAL TECHNOLOGIES, INC. Defendant: DAVID S. CENTANNI					
<b>PROOF OF SERVICE</b> <b>By Mail</b>		Hearing Date: Fri, Oct. 17, 2008	Time: 10:30AM	Dept/Div: 7	Case Number: CV-08-3129 JCS

1. I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred.
2. I served copies of the Summons In A Civil Action Civil Cover Sheet; Complaint For Patent Infringement And Demand For Jury Trial; First Amended Complaint For Patent Infringement And Demand For Jury Trial; Plaintiff Vnus Medical Technologies, Inc.'s Rule 7.1 Corporate Disclosure Statement And Civil Local Rule 3-16 Certification Of Interested Entities Or Persons; Declination To Proceed Before A Magistrate Judge And Request For Reassignment To A United States Judge; Us District Court For The Northern District Of California-Ecf Registration Information Handout; Reassignment Order; Standing Orders For Civil Cases Assigned To The Honorable Maxine M. Chesney; Case Management Conference Order; Standing Order For All Judges Of The Northern District Of California; Second Amended Complaint.
3. By placing a true copy of each document in the United States mail, in a sealed envelope by **First Class** mail with postage prepaid as follows:
  - a. Date of Mailing: Tue., Sep. 02, 2008
  - b. Place of Mailing: BURLINGAME, CA 94010
  - c. Addressed as follows: DAVID S. CENTANNI  
901 YALE ST  
HOUSTON, TX 77008
4. I am readily familiar with the business practice for collection and processing of correspondence as deposited with the U.S. Postal Service on Tue., Sep. 02, 2008 in the ordinary course of business.
5. *Person Serving:*
  - a. GLORIA MADERA
  - b. A & A LEGAL SERVICE  
1541 Bayshore Hwy.  
BURLINGAME, CA 94010
  - c. (650)697-9431, FAX (650)697-4640
  - d. **The Fee for Service was:**
  - e. I am: (3) registered California process server
    - (i) Employee
    - (ii) Registration No.: 810
    - (iii) County: San Francisco

Recoverable Cost Per CCP 1033.5(a)(4)(B)

8. *I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.*

Date: Thu, Sep. 04, 2008


 (GLORIA MADERA)

Attorney or Party without Attorney: Law Offices Of: DAVIS POLK & WARDWELL 1600 EL CAMINO REAL Menlo Park, CA 94025				For Court Use Only	
Telephone No: 650-752-2000      FAX: No: 650-752-2111		Ref. No or File No.: 21368/004			
Insert name of Court, and Judicial District and Branch Court: United States District Court, Northern District Of California					
Plaintiff: VNUS MEDICAL TECHNOLOGIES, INC. Defendant: DAVID S. CENTANNI					
<b>AFFIDAVIT OF REASONABLE DILIGENCE</b>		Hearing Date: Fri, Oct. 17, 2008	Time: 10:30am	Dep/Div: 7	Case Number: CV-08-3129 JCS

1. I, MARCOS LARDIZABAL, and any employee or independent contractors retained by A & A LEGAL SERVICE are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant DAVID S. CENTANNI as follows:
2. **Documents:** Summons In A Civil Action Civil Cover Sheet; Complaint For Patent Infringement And Demand For Jury Trial; First Amended Complaint For Patent Infringement And Demand For Jury Trial; Plaintiff Vnus Medical Technologies, Inc.'s Rule 7.1 Corporate Disclosure Statement And Civil Local Rule 3-16 Certification Of Interested Entities Or Persons; Declination To Proceed Before A Magistrate Judge And Request For Reassignment To A United States Judge; Us District Court For The Northern District Of California-Ecf Registration Information Handout; Reassignment Order; Standing Orders For Civil Cases Assigned To The Honorable Maxine M. Chesney; Case Management Conference Order; Standing Order For All Judges Of The Northern District Of California; Second Amended Complaint..

Day	Date	Time	Location	Results
Fri	08/22/08	3:07pm	Business	PER MALE, SUBJECT WAS NOT AVAILABLE. Attempt made by: MARCOS LARDIZABAL. Attempt at: 901 YALE ST HOUSTON TX. 77008.
Wed	08/27/08	4:45pm	Business	BUSINESS WAS CLOSED. DOOR WAS LOCKED. NO HOURS POSTED. Attempt made by: MARCOS LARDIZABAL. Attempt at: 901 YALE ST HOUSTON TX. 77008.
Fri	08/29/08	11:46am	Business	SUBJECT WAS NOT AVAILABLE. SUBSTITUTE SERVICE WAS MADE AT THE GIVEN ADDRESS ON EMPLOYEE ANGEL CORTIO. Attempt made by: MARCOS LARDIZABAL. Attempt at: 901 YALE ST HOUSTON TX. 77008.

3. **Person Executing**
- a. MARCOS LARDIZABAL
- b. A & A LEGAL SERVICE  
 1541 Bayshore Hwy.  
 BURLINGAME, CA 94010
- c. (650)697-9431, FAX (650)697-4640

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d.. The Fee for service was:

e. I am:

(i) Independent Contractor

4. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Thu, Sep. 04, 2008

AFFIDAVIT OF REASONABLE DILIGENCE (MARCOS LARDIZABAL) 7522000.47839